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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,455	09/15/2005	Claudio Corte	60130-2420	3919

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BIRMINGHAM, MI 48009

EXAMINER
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BELLINGER, JASON R

ART UNIT	PAPER NUMBER
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3617

MAIL DATE	DELIVERY MODE
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06/25/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/532,455

Applicant(s)

CORTE ET AL.

Examiner

Jason R. Bellinger

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-14 and 16-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-14 and 16-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

***Drawings***

1. Figures 2 and 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because Figures 1, 3, 5, and 7-8 appear to be photocopies of photographs or rendered models. These Figures lack sufficient detail and do not clearly show the structure of the invention.

Reference character 1' does not indicate the central bore of the wheel, instead indicating the entire wheel disc.

In Figures 5-7, reference character 1a should be underlined to indicate that it represents the central opening.

In Figure 6, it is unclear which bore circle corresponds to which diameter.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure

number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 2a, 2b. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

4. Claims 1, 6, and 13 are objected to because of the following informalities: The term --the-- should be inserted prior to the phrase "bores of the one of..." in claims 1 and 13.

Claim 6 is objected to due to the fact that the limitations set forth in this claim have been previously set forth in claim 1. Therefore, claim 6 is redundant.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 4-6, 11-14, 16-18, and 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Adair. Adair shows a disc wheel including a disc connected with a rim, wherein the disc includes a central portion with a region for accommodating a wheel hub. At least six fixing bores 9-10 (more than six being shown in Figure 1) are concentrically arranged around the central portion. These bores 9-10 include first and second sets of bores (generally at 16), each set defining a circumference, wherein the diameter of the circumference of the first set of bores (i.e. the radially outermost bores 16) is different than the diameter of the circumference of the second set of bores (i.e.

the radially innermost bores 16). The wheel is mounted on the hub through direct engagement of at least three fixing elements 11 extending through one of the first or second sets of bores 16.

Dependent upon the bolt pattern of the hub, each of the first and second sets of bores 16 may include four bores each (i.e. four fixing bores 9-10 may be used). The hub accommodating region is a central bore 5. The disc (and fixing holes 9-10) is formed by stamping.

7. Claims 1-2, 4-6, 11-14, 16-18, and 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Berry. Berry shows a wheel including a disc connected with a rim, wherein the disc includes a central portion with a region for accommodating a wheel hub. At least six fixing bores (40 and 42) (more than six being shown in Figure 2) are concentrically arranged around the central portion. These bores include first 42 and second 40 sets of bores, each set defining a circumference, wherein the diameter of the circumference of the first set of bores 42 is different than the diameter of the circumference of the second set of bores 40. The wheel is mounted on the hub through direct engagement of at least three fixing elements extending through the first set 42 of bores.

Each of the first 42 and second 40 sets of bores includes four bores. The hub accommodating region is a central bore 44. The disc (and fixing holes 40, 42) is formed by stamping.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 7-10 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adair. Adair contains all of the limitations as set forth in paragraph 6 above, but does not specify the diameters of the first and second circumferences. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the wheel of Adair with fixing hole sets having suitable diameters for fitting on the most number of wheel hubs, thus allowing a single wheel design to be used for a plurality of vehicles, thus reducing manufacturing costs and inventory storage space.

Adair also does not show each bore of the first and second sets being covered with a cover. However, the use of wheel covers and hub covers is well known in the art. Wheel covers are used to cover the entire disc portion of a wheel, thus providing an aesthetically pleasing appearance to the wheel and to protect the wheel from damage from debris during use. Hub covers generally only cover the hub portion of a wheel, for the same purpose as a wheel cover. Therefore, one of ordinary skill in the art at the time of the invention would have found it obvious to use a wheel or hub cover to cover each hole of the first and second sets, for the purposes set forth above.

**10.** Claims 7, 9-10, 19, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry. Berry contains all of the limitations as set forth in paragraph 7 above, but does not specify the diameters of the first circumference. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the wheel of with fixing hole sets having suitable diameters for fitting on the most number of wheel hubs, thus allowing a single wheel design to be used for a plurality of vehicles, thus reducing manufacturing costs and inventory storage space.

Berry also does not show each bore of the first and second sets being covered with a cover. However, the use of wheel covers and hub covers is well known in the art. Wheel covers are used to cover the entire disc portion of a wheel, thus providing an aesthetically pleasing appearance to the wheel and to protect the wheel from damage from debris during use. Hub covers generally only cover the hub portion of a wheel, for the same purpose as a wheel cover. Therefore, one of ordinary skill in the art at the time of the invention would have found it obvious to use a wheel or hub cover to cover each hole of the first and second sets, for the purposes set forth above.

### ***Conclusion***

**11.** The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references show wheels having a plurality of apertures for fixing the wheel on a plurality of different wheel hubs. For example, Brown et al shows a wheel of the type described above.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason R. Bellinger whose telephone number is 571-272-6680. The examiner can normally be reached on Mon - Thurs (9:00-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Morano can be reached on 571-272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason R Bellinger  
Primary Examiner  
Art Unit 3617

A handwritten signature in black ink, appearing to be 'JRB', written over the printed name of the examiner.